

REMARKS

In response to the Official Action dated 2/16/2005, the above-identified application has been amended. Review and reconsideration are requested in view of the above amendments and following remarks.

The examiner indicated that the amendments to the claims and the status identifiers of the claims did not appear to be accurate as to the filed claims. Further, the withdrawn claims were not present. Also, applicant did not address the rejections in the October 19, 2004 office action stating that the PTO did not receive Applicant's November 30, 2004 amendment.

Applicant does not know why the Office did not receive the Amendment of November 30, 2004. Applicant's counsel did in fact submit the same via facsimile and received an Auto-Reply Facsimile to this effect (copy enclosed). Uncertain therefore as to what version of claims applicant is working from, this amendment goes back to the version of claims submitted in applicant's preliminary amendment and it is kindly requested that these claims be entered as working from that point.

The Examiner objected claims 7, 9 and 15 as to several typographical errors. These have been corrected and the objection should be withdrawn. The Examiner rejected claims 1, 2, 3, 6, 14 and 17 under 35 U.S.C. § 112, second paragraph, as lacking antecedent basis or being indefinite. Likewise, these rejections have been addressed and the amendments are believed to overcome the rejections and withdrawal of the rejections is requested.

The Examiner rejected claims 1, 2, 4-6, 12 and 14-19 under 35 U.S.C. § 102 as being

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anticipated by U.S. Patent 6,021,907 to O'Brien. The examiner states that O'Brien's cantilevered prong 52 equates to the first means for simultaneously permitting the biasing means 48 to be compressed while allowing an article to be hung between the members and retained therebetween.

This misses a key limitation of the claimed invention. Specifically, the element at issue is the "first means extending laterally from one of said first retaining member and said second retaining member in a manner to permit separate access thereto enabling actuation of said biasing means by application of force applied thereto to displace said retaining members and for permitting said biasing means to be biased with part of one's hand when applying a force against said permitting means causing displacement of said second retaining member from said first retaining member and permitting insertion of an article to be hung between said retaining members with the *same* hand whereupon at least a portion of the article can be supportively retained between and by said retaining members upon removal of said force from said first permitting means."

Rather, O'Brien appears to be nothing more than clothes pin hanger wherein *two hands and two steps* are required for hanging the article such as pants. One hand is required to pinch the ends 52 and 52' in order to open the other ends which then require another hand to insert the article. In the case of hanging pants, for example, this requires inserting one side of the pant in one hanger 46 and then inserting another side of the pant in another hanger 46, both requiring the use of two hands.

The permitting means (side portions 46 of the instant invention) is an outwardly exposed portion which enables the hanging to be performed by a single same hand. Specifically, the knuckles of one's hand can depress the side portion 46 of one retaining plate 42 while permitting

one's same hand holding the article to insert a portion of the article between the retaining plate 42 and retaining member 32. The invention provides a useful improvement over the art, particularly for those handicapped and missing a hand or without use of one hand as is often the case with stroke victims. In such situations, the O'Brien device could simply not be used. This is not disclosed or suggested anywhere in the prior art. Withdrawal of the rejection to these claims is therefore respectfully requested.

Claim 3 was said to lack an inventive step as obvious and unpatentable over O'Brien and further in view of (Osmonson '537). Osmonson teaches a flared end. Claims 7-9 were also likewise rejected over these references stating the references disclose a front side hingedly connected to a back side and includes a latch. Applicant asserts that the claimed structure in conjunction with the elements recited in claim 1 is not obvious nor taught by the references. In view of the above amendments and remarks, the claims are respectfully submitted to be patentably distinct over the references.

Accordingly, withdrawal of the rejection is respectfully requested and allowance of the remaining claims is requested at as early a date as possible. This response together with the prior amendment is intended to be complete response to the Official Action dated 2/16/2005.

Respectfully submitted,



R. William Graham, Reg. No. 33,891

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R. William Graham, Reg. No. 33,891

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